

MINUTES
EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, June 14, 2022

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Weld called the meeting to order. The following Council Members were present: Emily Anderson, Kate Beaton, Emily Berge, Jill Christopherson, Jeremy Gragert, Charles Johnson, Roderick Jones, Larry Mboga, Joshua Miller, Terry Weld and Andrew Werthmann.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, June 14, 2022:

- Adopting the Consent Agenda.
- Approving the Minutes of the May 24, 2022 Council Legislative Session.
- Authorizing the Mehara Shrine Club to conduct the Mehara Shrine Circus on Saturday and Sunday, June 18-19, 2022 at Carson Park Baseball Stadium.
- Authorizing the Chippewa Valley Museum and the Wisconsin Logging Museum to conduct the Carson Park Experience on Monday, July 4, 2022 in Carson Park.
- Granting new bartender licenses.
- Granting the renewal of bartender licenses for the 2022-2024 licensing period.
- Granting a Change of Agent for the Combination Class A Intoxicating Liquor and Fermented Malt Beverage license of Kwik Trip Inc., d/b/a Kwik Trip #633, 2715 Golf Road, from Tyler W. Horel to Katherine A. Bitney be approved.
- Granting a Change of Agent for the Class A Fermented Malt Beverage and Class A Intoxicating Liquor (Cider only) license of Cenergy LLC, d/b/a Mega Holiday #3715, 2806 Golf Road, from Christina M. Meckley to Courtney A. Cook be approved.
- Granting a Change of Agent for the Combination Class A Intoxicating Liquor and Fermented Malt Beverage license of Cenergy LLC, d/b/a Mega Holiday #3720, 539 Water Street, from Briana K. Her to Brian T. Effinger be approved.
- Granting a Change of Agent for the Combination Class B Intoxicating Liquor and Fermented Malt Beverage license of Benevolent and Protective Order of Elks, d/b/a Elks Lodge #402, 3411 Stein Boulevard, from Thomas C. Billing to Daniel Johnson be approved.
- Granting a Change of Agent for the Class A Fermented Malt Beverage and Class A Intoxicating Liquor (Cider only) license of Cenergy LLC, d/b/a Mega Holiday #3706, 2920 Craig Road, from Angelica R. Heitzig to Kelsey L. Saterbak be approved.
- Granting a Change of Agent for the Class B Fermented Malt Beverage and Class C Wine license of Acoustic Café III Inc., d/b/a Acoustic Café, 505 S Barstow Street, from Morgan C. Hines-Munson to Michelle L. Thiede be approved.
- Granting a Temporary Class B Fermented Malt Beverage license to CORBA, President, Ryan Urban, 2809 E. Hamilton Avenue #127, for the dates July 1 and July 2, 2022, for the Red Flint Firecracker event.

- Granting a Temporary Class B Fermented Malt Beverage license to Chippewa Valley Museum, President, Jeff Stevens, 1204 E. Half Moon Drive, on July 4, 2022, for the Carson Park Experience event.
- Granting a Temporary Class B Fermented Malt Beverage license to Chippewa Valley Museum, President, Jeff Stevens, 1204 E. Half Moon Drive, for the dates of June 26, July 10, July 24, August 14, and August 21, 2022 (Rain Date), for the Summer Music at the Museum events.
- Granting a Temporary Class B Wine license to Chippewa Valley Museum, President Jeff Stevens, 1204 E. Half Moon Drive, on July 21, 2022 or August 18, 2022 (Rain Date), for the Wine Tasting in the Garden event.
- Granting a permanent expansion of the Class B Fermented Malt Beverage licensed premise of 3rd & Vine LLC, d/b/a 3rd & Vine, 1929 Third Street, to include a new outdoor patio area.
- Granting the renewal of the following licenses for the 2022-2023 licensing period:
 - Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses.
 - Reserve Combination Class B Intoxicating Liquor and Fermented Malt Beverage licenses.
 - Class B Fermented Malt Beverage licenses.
 - Combination Class A Intoxicating Liquor and Fermented Malt Beverage licenses.
 - Class A Fermented Malt Beverage licenses.
 - Class A liquor (Cider Only) license.
 - Class C Wine licenses.
 - Class A Cabaret licenses.
 - Class B Cabaret licenses.
- Granting a Secondhand Article Dealer license to Dear Prudence E.C. LLC, d/b/a Dear Prudence, 515 Wisconsin Street, Suite C, Eau Claire, WI 54703.
- Awarding a contract for Procurement No. 2022-05, City-Wide Street & Utility Reconstruction.
- Granting a petition and waiver for sidewalk construction at 410 W. Tyler Avenue, Parcel No. 15-0600.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Jones “to adopt the consent resolution.” Said motion passed by unanimous vote.

PROCLAMATIONS

President Weld read a proclamation proclaiming Sunday, June 19, 2022, as Juneteenth Day in the City of Eau Claire and encouraging all residents to join in recognizing this day of unity, freedom, and opportunity, and to honor the diversity of all racial and ethnic groups in our community.

President Weld read a proclamation proclaiming June as Pride Month in the City of Eau Claire and encouraging all residents to promote equality, enrich alliances, inspire inclusion, and celebrate diversity.

APPOINTMENTS

The City Council considered a resolution approving appointments and reappointments to various Boards, Commissions and Committees. Thereupon a motion was offered by Council Member Gragert and seconded by Council Member Beaton “to adopt the resolution.”

Council Member Werthmann requested that the appointment of Nathan Anderson to the Transit Commission be considered separately. No objection was voiced and the appointment of Nathan Anderson will be considered separately.

A vote was then taken to “adopt the resolution” with the appointment of Nathan Anderson to Transit Commission removed. Said motion passed by unanimous vote.

The City Council considered a resolution approving the appointment of Nathan Anderson to the Transit Commission.

Council Member Anderson abstained and left the Council Chamber.

Thereupon a motion was offered by Council Member Miller and seconded by Council Member Berge “to adopt the resolution.” Said motion passed by the following vote: Aye: Council Members Beaton, Berge, Christopherson, Gragert, Johnson, Jones, Mboga, Miller, Weld and Werthmann. Abstained: Council Member Anderson.

Council Member Anderson returned to the Council Chamber.

CMAR ANNUAL REPORT

The City Council considered a resolution indicating receipt and review of the 2021 Compliance Maintenance Annual Report (CMAR) for the Wastewater Treatment Plant and Collection System. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Mboga “to adopt the resolution.” Said motion passed by unanimous vote.

CANNERY PARK SITE PLAN

The City Council considered a resolution approving a site plan in a P-Public district for the Cannery Park and other improvements (File PZ-2201). Thereupon a motion was offered by Council Member Johnson and seconded by Council Member Werthmann “to adopt the resolution.” Said motion passed by unanimous vote.

ENCROACHMENT

The City Council considered a resolution granting a permanent encroachment to Sculpture Tour of Eau Claire for the “Sculpture Tour” exhibit. Thereupon a motion was offered by Council Member Jones and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

PINE PARK EAST

The City Council considered a resolution approving a final plat for Pine Park Drive East located on the east side of Rudolph Road (File P-6-22). Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Miller “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the City Manager to enter into a development agreement with Statz Real Estate Partnership, LLP, for street and utility improvements within the plat of Pine Park East Second Addition. Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Berge “to adopt the resolution.” Said motion passed by unanimous vote.

LINDEN PLACE

The City Council considered a resolution approving the final plat for Linden Place located on the west side of Jeffers Road. (File P-4-22). Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Mboga “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution authorizing the City Manager to enter into a development agreement with CMJM Properties, LLC, for street and utility improvements within the plat of Linden Place. Thereupon a motion was offered by Council Member Johnson and seconded by Council Member Werthmann “to adopt the resolution.”

Thereupon a motion was offered by Council Member Berge and seconded by Council Member Christopherson “to amend the development agreement” by amending “Special Condition I. Sidewalks” to replace DWG NO. 2022-14 with DWG NO. 2022-14R deferring sidewalks as described in the following location(s): Along the north side of Linden Place due to grading limitations. Said motion passed by unanimous vote.

A vote was then taken “to adopt the resolution” with amended development agreement. Said motion passed by unanimous vote.

TID NO. 9

The City Council considered a resolution adopting the Amended Project Plan for Tax Incremental District No. 9, Business Park Overlay. Thereupon a motion was offered by Council Member Jones and seconded by Council Member Gragert “to adopt the resolution.” Said motion passed by unanimous vote.

PURPLE RAIN (NIAGARA) DEVELOPMENT AGREEMENT

The City Council considered a resolution authorizing the City Manager to enter into a Development and Use Agreement with Purple Rain Properties, LLC for business operations as a beverage bottling facility on property in Gateway Northwest Business Park. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Miller “to adopt the resolution.” Thereupon a motion was offered by Council Member Berge and seconded by Council Member Mboga “to postpone indefinitely.” Said motion passed by unanimous vote.

ANNEXATION

The Council considered an ordinance annexing land to the City of Eau Claire located at Lowes Creek Road, Town of Washington, Eau Claire County, as shown on Planning Drawing No. 22-3A (Stewart/Hauge Annexation). Thereupon a motion was offered by Council Member Anderson and seconded by Council Member Berge “to adopt the ordinance.” Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Mboga “to postpone” to the August 8 & 9, 2022 City Council meetings with completion of a pre-annexation development agreement. Discussion was held. Council Member Werthmann made an amendment to the motion, with agreement of Council Member Mboga, “to postpone” to the August 8 & 9, 2022 City Council meetings. Said motion to postpone failed by the following vote: Aye: Council Members Gragert, Johnson, Mboga and Werthmann. Nay: Council Members Anderson, Beaton, Berge, Christopherson, Jones, Miller and Weld. A vote was then taken “to adopt the ordinance.” Said motion passed by the following vote: Aye: Council Members Anderson, Beaton, Berge, Christopherson, Gragert, Johnson, Jones, Miller and Weld. Nay: Council members Mboga and Werthmann.

ALDERMANIC DISTRICTS

The Council considered a charter ordinance relating to the City Council and the reapportionment of the Aldermanic Districts of the City of Eau Claire. Thereupon a motion was offered by Council Member Christopherson and seconded by Council Member Mboga “to adopt the ordinance.” Said motion passed by unanimous vote.

ZONING

The Council considered an ordinance rezoning property located on Oxford Avenue and Maple Street from I-1 to P (Z-1707-22 Cannery Park). Thereupon a motion was offered by Council Member Johnson and seconded by Council Member Werthmann “to adopt the ordinance.” Said motion passed by unanimous vote.

The Council considered an ordinance rezoning property located on N. Hastings Way from C-2 & R-1 to C-3 (Z-1708-22). Thereupon a motion was offered by Council Member Jones and seconded by Council Member Gragert “to adopt the ordinance.” Said motion passed by unanimous vote.

ADMINISTRATIVE REVIEW BOARD

The City Council had first reading on an ordinance amending Section 1.06.050 of the Code of Ordinances of the City of Eau Claire entitled “Administrative Review Board.”

ZONING

The City Council had first reading on an ordinance rezoning property located at 2405 N. Clairemont Avenue from C-2P and C-3 to C-3P and to adopt the general development plan with site plan for a commercial building (Z-1709-22).

The City Council had first reading on an ordinance rezoning property from I-1P to R-3P located at the southwest corner of Hamilton Avenue and Craig Road and to adopt the general development plan with multi-family development (Z-1710-22).

The City Council had first reading on an ordinance amending the development plan to allow for single family homes within an R-2P zoning district located at 6140 Aspen Meadow Court (Z-1526-13 Amd).

ADJOURNMENT

The meeting adjourned without objection.

Adjournment: June 14, 2022

Time: 7:11 p.m.

ATTEST:

/s/ Terry L. Weld
Council President

/s/ Carrie L. Riepl
City Clerk